

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Anthony Gene Trappier)	C/A No.: 4:14-cv-00004-TLW
<i>also known as</i> Anthony G. Trappier,)	
)	
Plaintiff,)	
)	
vs.)	
)	
Freddy Curry; Rodney Thomason; Alan)	
Jackson; M. Bordner, <i>FNU</i> ; Guthinger,)	
<i>FNU</i> ,)	
)	
Defendants.)	
_____)	

ORDER

On January 2, 2014, the Plaintiff, Anthony Gene Trappier (“Plaintiff”), proceeding pro se and *in forma pauperis*, filed this civil action allegedly pursuant to “the Foreign Sovereigns Act of 1976... 28 U.S.C. § 1602 et seq. § 1608.” (Doc. #1). Because that act is not relevant to the matters asserted in the complaint or to the parties named, the Court liberally construes Plaintiff’s complaint as one alleging claims pursuant to 28 U.S.C. § 1983.

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Magistrate Judge Kaymani D. West, to whom this case was previously assigned. (Doc. #11). In the Report, the Magistrate Judge recommends that Plaintiff’s Complaint be summarily dismissed, without prejudice and without issuance and service of process. Furthermore, because the present complaint is frivolous, and because Plaintiff has been informed as to legal restrictions on these types of claims in two prior actions on essentially the same facts,

the Report recommends that this case be deemed a strike for purposes of the three-strikes rule. Objections were due by April 10, 2014. Plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

This Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, (Doc. #11), is **ACCEPTED**, and Plaintiff's Complaint, (Doc. # 1), is **DISMISSED** without prejudice and without issuance and service of process. In addition, this case is deemed a strike for purposes of the three-strikes rule because of its frivolity and failure to state a plausible claim against any Defendant. See 28 U.S.C. § 1915(g); McLean v. United States, 566 F.3d 391, 399 (4th Cir. 2009); see Blakely v. Wards, 738 F.3d 607 (4th Cir. 2013).

IT IS SO ORDERED.

June 26, 2014
Columbia, South Carolina

s/Terry L. Wooten
Chief United States District Judge